

**Applicant:** Philip Lindborg

**Agent:** Garcia/Kraemer & Associates

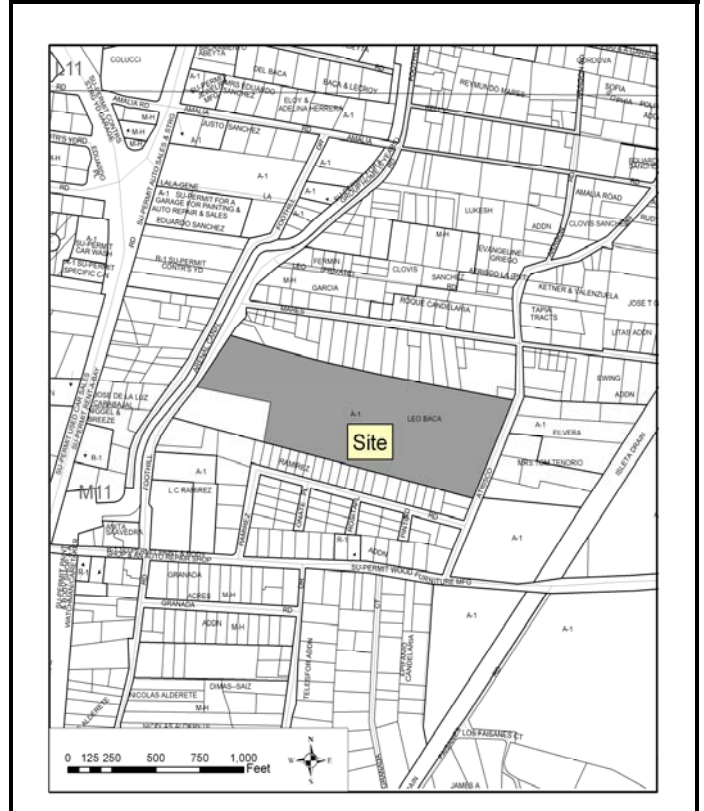
**Location:** 1815 Atrisco Drive S.W.

**Property Size:** Approximately 17.77 acres

**Existing Zone:** A-1

**Proposed Request:** Special Use Permit for a Planned Development Area

**Recommendation:** Deferral



**Summary:** The applicant is seeking approval of a Special Use Permit for a Planned Development Area that is comprised solely of residential lots for single-family residential dwellings.

This request was deferred from the February 6, 2008 hearing in order to allow the applicant time to revise the site plan. Staff has been made aware that the Bernalillo County Public Works Division is in the process of a project on this site which may alter the submitted site plan.

**Staff Planner:** Enrico Gradi, Program Planner

- Attachments:**
1. Application
  2. Land Use and Zoning Map
  3. Letters of Community Support
  4. Letters of Community Opposition
  5. Revised Site Plan Dated January 28, 2008 (Commissioners Only)

Bernalillo County Departments and other interested agencies reviewed this application from 4-24-07 to 10-15-07 and 2-11-08.

Agency comments were used verbatim in preparation of this report, and begin on page 14.

**AGENDA ITEM NO.: 12**  
**County Planning Commission**  
**March 5, 2008**

CSU-70024      Garcia/Kraemer & Associates, agent for Philip Lindborg, requests approval of a Special Use Permit for a Planned Development Area on Tract A, Lands of Leo Baca, located at 1815 Atrisco Drive SW, on the westside of Atrisco Drive approximately 500 feet north of Arenal Road, zoned A-1, and containing approximately 17.77 acres. (M-11) (CONTINUED FROM THE FEBRUARY 6, 2008 HEARING)

**AREA CHARACTERISTICS AND ZONING HISTORY**  
**Surrounding Zoning & Land Uses**

	<b>Zoning</b>	<b>Land Use</b>
<b>Site</b>	A-1	Vacant Field
<b>North</b>	R-1	Single Family Dwellings
<b>South</b>	R-1	Single Family Dwellings
<b>East</b>	R-1	Single Family Dwellings
<b>West</b>	R-1	Single Family Dwellings

**BACKGROUND:**

**The Request**

The proposed request is for a Special Use Permit for a Planned Development Area on a vacant agricultural site of approximately 17.77 acres. The adjoining lands are predominantly zoned R-1 with some A-1 zoned properties also adjacent. The majority of the properties surrounding the site are developed with single-family dwellings.

The applicant seeks to increase the residential density allowed by the current A-1 zone and proposes an increase in density above the 3 dwelling units per acre prescribed in the Albuquerque/Bernalillo County Comprehensive Plan and the Southwest Area Plan (SWAP). In order to do this the applicant proposes a cluster-housing scenario, which is identified in the SWAP. The proposed configuration includes 66 dwelling units and a proposed residential density of 3.6 dwelling units per acre, the site contains approximately 4.6 acres of open space that is divided between an agricultural area/drainage area and a plaza area.

The residential lots and housing portion of the development offers somewhat varied lot sizes ranging in size from approximately 4, 800 square feet to 8000 square feet. All the lots appear to be designed to contain single-family dwellings.

According to the site plan approximately 28% of the site is dedicated to open space this includes open space not only in the central portion of the development but also along the western entrance of the site. According to the request, the developer proposes to have the open space owned by a homeowners association or conveyed to a Land Trust. The homeowners association or Land Trust may then decide to maintain the area themselves or lease the private open space area to a desired individual or entity for creation and/or maintenance of a suitable agricultural use.

The site plan also includes a number of covenants and restrictions which go beyond the Bernalillo County Zoning Code in insuring architectural design, lot restrictions, "Green Building" techniques, height restrictions and membership in a future home owners association.

Request Justification

The applicant maintains that the request aspires to achieve the fundamental goals of the Albuquerque/Bernalillo County Comprehensive Plan and the Southwest Area Plan (SWAP) in proposing a well-designed cluster housing Planned Development Area, which respects the rural qualities of the South Valley.

This application states that the request will be a model residential development, which will employ rural design elements including a community open space. The central feature of the Planned Development Area will be become a rural amenity and a landmark open to all residents of the South Valley.

The applicant maintains that the adoption of the SWAP is a changed community condition that justifies this particular request for a cluster development. The applicant also cites a recent approval of a request fro a zone change from A-1 to R-1 on the vicinity. In addition, the applicant cites the recent approval of CSU-60037, which was a request for a cluster

development, which the County Planning Commission recommended for approval and was late withdrawn by the applicant.

### **Surrounding Land Use and Zoning**

At the January 25, 2005 public hearing, the Board of County Commissioners voted to approve a zone map amendment from A-1 to R-1 for a 1.19-acre site located at 2634 Arenal Road SW, on the northwest corner of Arenal and Ramirez Roads, approximately 250 feet south of the subject site.

### **APPLICABLE PLANS AND POLICIES:**

#### **Albuquerque/Bernalillo County Comprehensive Plan**

The site is within the Semi Urban Area as designated in the Comprehensive Plan. The goal in the Comprehensive Plan is to "maintain the character and identity of semi urban areas, which have environmental, social or cultural conditions limiting urban land uses."

#### Land Use:

**Policy a** states that "development in the semi-urban area shall be consistent with development limitations imposed by topography, soil conditions, groundwater quality, agricultural potential, flood potential, scenic qualities, recreation potential and existing development; the overall gross density shall be up to three dwelling units per acre."

**Policy b** states "development in semi-urban areas shall include trail corridors, where appropriate, and shall be compatible with economic policies and historical and socio-cultural values, and shall maintain and integrate existing and new buildings and spaces of local significance into the community."

**Policy c** states that "the following policies shall govern industrial and commercial development in the Semi-Urban areas."

- Neighborhood-scale rather than regional-scale commercial centers are appropriate.
- "Mixed use areas should protect residential uses in the area, while offering a variety of local employment opportunities."

"Strip commercial development is discouraged in favor of clustered commercial development."

#### **Southwest Area Plan (SWAP)**

**Policy 1** states "Techniques to ensure water quality and to enhance water conservation shall be established by the appropriate governmental agencies to enforce policies adopted in the Ground-Water Protection Policy and Action Plan and to prevent further groundwater contamination in the Plan area."

**Policy 2** states "All lands designated as proposed Major Public Open Space as identified in adopted Bernalillo County/Albuquerque plans shall be pursued for acquisition by County, City and/or other agencies.

- e) Designate the irrigable agricultural lands, escarpment and ceja as areas to be protected through density transfer, as a requirement for granting increased residential density in designated comparable zoned areas. "

**Policy 5** states "As development occurs in the Plan area, provisions shall be made to ensure erosion is controlled during and after construction. Runoff and erosion controls shall be developed throughout Soil Conservation Service Zones 3 & 4 to protect Zone 5."

**Policy 6** states "Specific land use regulations, with performance and improvement standards, shall be created to protect agricultural lands."

- d) Promote small-scale agriculture to assist local growers and promote valley producers by allowing County facilities to be used for farmers market activities and agricultural pilot projects.
- e) Examine the feasibility of implementing one or more of the following: agricultural districting, agricultural overlay, conservation easements or performance-based zoning.
- f) Pursue alternative land preservation techniques such as transfer of development rights, purchase of development rights, conservation and agricultural easements, density bonuses, and other equitable land density increases. These market mechanisms shall be used to provide compensation by exchanging higher density for the preservation of agricultural lands.

**Policy 8** states that "Isleta Boulevard shall be recognized and treated as a historic route. Any modifications on Isleta Boulevard shall protect, rehabilitate and enhance the historic. Cultural and economic significance of this important segment of the Camino Real."

- c. Install street lighting and other fixtures appropriate for auto, bike and pedestrians fit the historic character of the street.
- d. Create a pedestrian friendly environment along Isleta Boulevard that allows shared parking facilities and safe pleasant access to local business.

**Policy 12** states that " Heavy industrial and commercial traffic shall be limited in village centers and residential areas to enhance residential stability, respect the history and integrity of the area, and promote neighborhood scale (CN zoning) economic development."

**Policy 21** states that "The five historic village centers, shall re-integrate historic buildings and sites of local interest and function as an area to meet the community's day to day needs."

- b. Reintegrate historic buildings and spaces of local interest into the historic village centers and surrounding village centers. Allow adaptive reuse of historic buildings and places that hold significant value as identified by the community.
- c. Require new residential subdivisions and commercial subdivisions and commercial development proposed for the village centers to be compatible in design, scale and character with the existing surroundings.
- d. Permit each of the five village centers to include neighborhood scale commercial and office uses, and appropriate public and local health services.

**Policy 26** states "Allow up to three dwelling units per net acre in Residential Area 3 when City sewer is available, or a maximum of one dwelling unit per acre when using individual liquid waste disposal systems."

**Policy 29** states "Provide Pedestrian connections through mixed use areas and activity centers, and separation between parking and pedestrian circulation for public safety and general welfare of area residents."

**Policy 30** states "Standards for outdoor lighting shall be implemented to ensure that their use does not interfere with the night sky environment and unnecessarily adjacent properties."

- a. Outdoor light poles within residential areas should not exceed sixteen (16) feet in height above existing grade; when mounted on buildings or structures, fixtures should not exceed twelve (12) feet from existing grade.
- b. Encourage landscaped areas within lots to break up large expanses of paved area and enhance pedestrian access.

**Policy 31** states "Promote safe vehicular parking with attention to functional and aesthetic concerns. Oversized parking lots of facilities should be discouraged."

- a. Parking areas should be designed to minimize local temperature gain and reduce air pollution. Potential methods of accomplishing this include light colored materials on parking lot surfaces and trees or other shading devices to shade the surface area of the lot.

**Policy 32** states "Increase the visual character and quality of the streetscape and overall development by encouraging enhanced use of required perimeter walls."

Discourage long expanses of uninterrupted wall surface and encourage walls to be indented, offset, or in a serpentine form to avoid a tunnel effect.

**Policy 40** states "Encourage the location of newly developing neighborhood scale commercial and office uses to within the village centers."

**Policy 41** states "Balance economic development and the quality of life for existing communities as well as for newly developed areas.

a) Create enterprise zones to stimulate balanced economic growth in areas such as, but not limited to, Second Street, north of Rio Bravo and south of Woodward, Broadway Boulevard and Isleta/Bridge Boulevards (boundaries established in the Bridge/Isleta Revitalization Plan).

b) Promote partnership between the community and the business sector by allowing joint use of public/private facilities, such joint uses could include farmers markets or community entertainment events.

**Policy 48** states "Preserve agricultural land along the Rio Grande to prevent further contamination and sustain the Greenbelt."

**Policy 55** states "Enhance historic village centers (Atrisco, Five Points, Armijo, Pajarito and Los Padillas) with government agencies and/or local non-profits of appropriate scale in order to preserve their character, enhance aesthetic value, sustain local business, and provide residents with retail and public services."

### **Bernalillo County Zoning Ordinance**

**Resolution 116-86** defines criteria for evaluating a Zone Map changes and Special Use Permit applications.

The following policies for deciding zone map changes and Special Use Permit applications pursuant to the adopted Bernalillo County Zoning Ordinance.

- A. A proposed land use change must be found to be consistent with the health, safety and general welfare of the residents of the County.
- B. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a land use change.
- C. A proposed land use change shall not be in significant conflict with adopted elements of the Comprehensive Plan of other Master Plans and amendments thereto including privately developed area plans which have been adopted by the Board of County Commissioners.
- D. Stability of the land use and zoning is desirable; therefore, the applicant must provide a sound justification for land use change. The burden is on the applicant to show why the change should be made.

- E. The applicant must demonstrate that the existing zoning is inappropriate because:
  - 1. An error in the original zone map.
  - 2. Changed neighborhood conditions, which justifies a change in land use or
  - 3. That a different use category is more advantageous to the community as articulated in the Comprehensive Plan or other land use plans as adopted by the Board of County Commissioners.
- F. A land use change shall not be approved where some of the permissive uses in the land use change would be harmful to adjacent property, the neighborhood or the community.
- G. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.
- H. A zone change request, which would give a zone different from the surrounding, zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
  - 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
  - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.
- I. A zone change request, which would give a zone different from the surrounding zoning to a strip of land along a street, is generally called a "strip zoning." Such a change of zone may be approved only when:
  - 1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
  - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

**Section 19: Landscaping and Buffer Landscaping Regulations:**

Where a nonresidential zone which is hereafter developed for a business purpose abuts a residentially zoned property, special buffer landscaping is required to minimize noise, lighting and sight impact of the nonresidential activities in the residential area.

- A. Landscaping and buffer landscaping will be required in all zones for office, commercial, industrial, and multifamily residential uses; R-1, A-1, A-2 and M-H residential uses are exempt.
1. Sites of one acre or less:
    - a. There shall be a landscaped setback along all streets of no less than ten feet.
    - b. There shall be a landscaped buffer of six feet between single-family residential uses and office, commercial, industrial, and multifamily residential uses.
    - c. Fifteen percent of all paved areas shall be landscaped. The landscaped setback shall contribute toward this requirement.
  2. Sites one acre and up to five acres. There shall be a landscaped setback along all streets of no less than 15 feet. All other requirements same as 1.b. and 1.c. above.
- B. In a nonresidential zone, a solid wall or a solid fence at least six feet high shall be erected on sides abutting a single-family residential use, except for those sides abutting public right-of-way.
- E. Landscaping which dies shall be replaced by the property owner who is obligated to provide it as expeditiously as possible, but in no case longer than 30 days after notification. If the 30-day period falls at a time of the year when planting of landscaping is inadvisable, a waiver may be granted by the Zoning Administrator to allow planting at the earliest possible time. The waiver and date of the planting deadline shall be recorded by the County Zoning Office.
- G. Parking spaces within a parking lot shall be no more than 50 feet from a tree.
- H. Nonconforming Landscaping. Premises which, when they were developed, were not required to be developed in accordance with the Landscaping and Buffer Landscaping Regulations Section of this ordinance, shall be made to conform with this regulation within two years due to the amendment of the map or text of this ordinance.

**ANALYSIS:**

**Surrounding Land Use and Zoning**

The subject site is located in the Semi-Urban Area of the Comprehensive Plan and Residential Area 3 of the Southwest Area Plan.

The site is primarily bounded by Atrisco Drive on the east side of the property, Foothill Road on the east side of the site and single family dwellings on the north and south sides of the site.

## **Plans**

### Albuquerque/Bernalillo County Comprehensive Plan

Policy (a) of the Comprehensive Plan recommends that development in the Semi-Urban Area be consistent with the existing context and development constraints imposed by the physical limitations of the surrounding area. These limitations include topography, soil conditions, groundwater quality, and agricultural potential, flood potential and an overall gross density of up to three dwelling units per acre.

### Southwest Area Plan (SWAP)

Policy 26 of the Southwest Area Plan recommends up to three dwelling units per net acre in Residential Area 3 when City sewer is available to the site proposed for subdivision. The SWAP also defines the corner of Arenal Road and Isleta Boulevard as a Village Center.

Regarding the development of mass housing, Policy 34 of the SWAP requires the preservation of scenic views to and from the site, where feasible and recommends the screening of mechanical equipment such as air conditioning systems.

Policy 26 of the SWAP defines residential densities for the South Valley and Southwest Mesa. The SWAP contains a density bonus for cluster development, which allows 3.5 dwelling units per acre when up to thirty percent of the site is preserved as open space. In this case, the applicant is proposing slightly more than four dwelling units per acre.

## **Zoning Ordinance**

Resolution 116-86 states the criteria for evaluating a requested zone change or Special Use Permit. The applicant must demonstrate that the existing zoning is inappropriate because of 1) an error in the original zone map; 2) changed neighborhood conditions which justifies a change in land use; or 3) that a different use category is more advantageous to the community as articulated in a County adopted plan.

The Zoning Ordinance allows for a Planned Development Area for residential and residential/commercial uses if the subject site is at least 2.0 acres in area. Additionally, certain standards, such as building height, lot area, and/or setbacks, may be varied from the underlying requirements if an applicant can demonstrate that these deviations are necessary and due to unusual topography, lot configuration, or specific site features in order to preserve the visual or physical access to the provided open space. The sizes of the proposed lots are less than the 1-acre requirement of the underlying zone, and are smaller than the 14,520-square foot minimum allowed if the site was zoned R-1.

## **Agency Comments**

Comments from the Zoning Administrator state that the proposed standards, notes and requirements for this request are somewhat similar to that of R-1 allowances. Staff does not have any adverse comments to this request, but would caution against specified approval of the "design regulations" as noted on the second page of the site plan. Many of these rules seem more appropriate as neighborhood covenants.

Comments from the Bernalillo County Parks and Recreation Department (BCPR) state that their department will not maintain or otherwise manage the proposed agricultural open space/vineyard or other smaller open space easements that are proposed as a part of the development. The BCPR questions the feasibility of having functional agricultural land on land whose primary function is a retention pond and whether the two uses are compatible.

Comments from the Public Works Division state that the proposed Public right-of-way radius of 40 feet for the proposed cul-de-sac and turnouts does not meet the County Street Standards and must be revised to meet the required 48 feet and additional right-of-way will be required if the existing right-of-way is less than 68 feet.

### Analysis Summary

Zoning	
Resolution 116-86	<p>This request is consistent with Resolution 116-86 in that the request encompasses policies defined in the Southwest Area Plan with regard to agricultural preservation and cluster development.</p> <p>This request has not fully addressed the section of the zoning Ordinance that allows for a Planned Development Area which requires that the applicant demonstrate that certain deviations from the zoning code are necessary due to unusual topography, lot configuration, or specific site features in order to preserve the visual or physical access to the provided open space.</p>
Plans	
Comprehensive Plan	The request is consistent with the Goal of the Comprehensive Plan, which is to maintain the character and identity of the Semi-Urban Area, which have environmental, social or cultural conditions limiting urban land uses.
Area Plan	<p>Policy 6 of the Southwest Area Plan calls for the preservation of agricultural lands in the south valley through cluster development and density bonuses for the preservation of farmland.</p> <p>Policy 48 of the Southwest Area Plan calls for the preservation of agricultural Land along the Rio Grand Valley on order to sustain the green belt.</p>
Other Requirements	
Public Works	The proposed Public right-of-way width of 32 feet for the proposed roads does not meet the County Street Standards and must be revised to meet the required 50 feet

## **Conclusion**

The concepts and design elements offered by this request appear to be consistent with the primary tenants of the Southwest Area Plan. Specifically, Policy 26 of the Southwest Area Plan, which allows a density bonus of 3.5 dwelling units per acre when 30% of the site is dedicated as open space. In this case 28% of the site is designated for open space.

The developer maintains that a homeowners association shall maintain the open space, however, it is unclear who will maintain the open space until full build out. Four and one half acres is a substantial portion of property to maintain and some detail should be given as to the structure for maintenance and operation. The applicant has not fully described how the agricultural component of the development is going to be irrigated and there is not any language that addresses the provision of water, whether surface or from a well. Some method of irrigation is critical if this area is to be maintained as agriculture. This is of concern since the agent's application maintains that there are no water rights and the sites viability as an agricultural asset is limited.

The Zoning Ordinance allows for a Planned Development Area for residential and residential/commercial uses if the subject site is at least 2.0 acres in area. Additionally, certain standards, such as building height, lot area, and/or setbacks, may be varied from the underlying requirements if an applicant can demonstrate that these deviations are necessary and due to unusual topography, lot configuration, or specific site features in order to preserve the visual or physical access to the provided open space.

The submitted request does not address why the Special Use Permit for the Planned Development Area is necessary due to the unusual topography, lot configuration or specific site features in order to preserve the visual or physical access to the private open space. In addition to the technical issues that the site plan must address there are also some design issues that could use some refinement; these items include the design of the proposed trails and the integration of the proposed open space to the future residential areas on each side.

## **ADDITIONAL STAFF COMMENT: NOVEMBER 7, 2007**

This request is continued from the June 6, 2007 public hearing in order to allow the applicant to revise the site plan and to address Public Works concerns regarding traffic flow and right-of-way issues. Public Works comments state that a preliminary scoping for the required Traffic Impact Analysis (TIA) has been completed and a draft study is in progress.

The proposed public right-of-way width for roads has been increased from 32 feet to 40 feet, a 4' sidewalk is included in the revised cross-section and the proposed mountable curb and gutter has been replaced with standard curb and gutter. The proposed public right-of-way radius of 40 feet for the proposed cul-de-sac and turnouts has been increased to 45 feet.

Public Works comments note that additional right-of-way may be required for Atrisco Road and Foothill Road and the right-of-way dedications may reduce size of the open space shown on the site plan.

The revised site plan depicts a relocation of the access point to the eastern portion of the proposed development by moving the access road to the north. It appears that the applicant is attempting to address some neighborhood concerns by relocating the roadway away from existing residential development.

The revised submittal responds to Public Works comments and addresses several of the roadway layout and traffic issues. However, as referenced in previous comments, it appears that the some design issues that could use some refinement; these items include the integration of the proposed open space to the future residential areas on each side.

The revised site plan contains a conceptual grading and drainage plan (sheet 4 of 5) which calls for runoff from basin one, which contains 35 lots, to be conveyed via the paved streets to basin two which is the open space area as well as the dedicated agricultural area/vineyard. There is some concern for the long term viability of agricultural uses and soil quality in the open space area if drainage from roadways and other impermeable surfaces are to drain into the retention pond/vineyard/agricultural area.

**ADDITIONAL STAFF COMMENT: MARCH 5, 2008**

This request was deferred from the February 6, 2008 hearing in order to allow the applicant time to revise the site plan and meet with the adjacent community. Recently, staff has learned that the Bernalillo County Public Works Department and the Army Core of Engineers are in the process of a project on this site which may alter the submitted site plan.

**RECOMMENDATION:**

Deferral of CSU-70024.

Enrico Gradi  
Program Planner

## **BERNALILLO COUNTY DEPARTMENT COMMENTS**

**Environmental Health:**

No comment received

**Zoning Administrator:**

The proposed standards, notes and requirements for this request are somewhat similar to that of R-1 allowances. Staff does not have any adverse comments to this request, but would caution against specified approval of the "design regulations" as noted on the second page of the site plan. Many of these rules seem more appropriate as neighborhood covenants (i.e., civil agreements between neighbors) rather than specific requirements, and some are contrary to existing zoning allowances (#1, #5, #6, #9, #11).

Staff supports either reference to explicit development standards, such as minimum lot area, setback & separation requirements, building height limits, and the like; or reference to the project meeting applicable requirements of a specified zone.

**Zoning Enforcing Manager:**

Based on the above comments there is no adverse comments at this time.  
There are no zoning violations on the property.

**Building Department Manager:**

No comments

**Fire:**

Approval and/or occupancy pending approved water supplies for fire protection.

Fire hydrants are generally installed according to spacing criteria that varies according to proposed land use. These hydrants may be required to be supplemented with additional hydrants when actual development takes place.

Upon development the builder, developer, owner will provide additional 4 additional fire hydrants on west subdivision and 2 additional fire hydrants on east subdivision both at approved distances.

Occupant load shall be determined by County Building Officials and posted in an approved location.

**Public Works:**

**DRAN:**

1. This property is subject to Chapter 38 of the Bernalillo County Code for Flood Damage Prevention and Storm Drainage. The site plan included with this Special Use permit application shows extensive development in addition to the existing development. A conceptual grading and drainage plan prepared by an engineer licensed in the State of New Mexico must be submitted to, and approved by, Bernalillo

County Public Works prior to final approval of this application. The conceptual grading and drainage plan must meet minimum design criteria including existing contours and elevations and proposed contours and elevations.

2. A complete drainage plan and/or report, approved by Bernalillo County Public Works, will be required prior to any development.
3. This site will also require a Storm Water Pollution Prevention Plan (SWPPP) that meets the Bernalillo County Code Chapter 38 prior to any grading, paving, or excavation permit issuance by Bernalillo County Public Works.

### **March 5, 2008 Hearing**

This Southwest Valley Flood Damage Reduction project involves placement of an earthen channel along the north side of the property, and a new site plan and grading and drainage plan is in order.

#### **DRE:**

1. An Traffic Impact Analysis (TIA) will be required for the proposed residential development. The TIA must be reviewed and approved prior to CPC approval.
2. The proposed Public right-of-way width of 32 feet for the proposed roads does not meet the County Street Standards and must be revised to meet the required 50 feet. The trails on either side of the proposed roads must be included in the right-of-way as it does not benefit the residents to have private trails located on their property and will create confusion regarding maintenance. The roads will used to convey stormwater which will require that the proposed mountable curb and gutter be replaced with standard curb and gutter.
3. The proposed Public right-of-way radius of 40 feet for the proposed cul-de-sac and turnouts does not meet the County Street Standards and must be revised to meet the required 48 feet. The roads will used to convey stormwater, which will require that the proposed mountable curb and gutter be replaced with standard curb and gutter.
4. Atrisco Drive is shown as a Collector on the Long Range Roadway System map with a minimum right-of-way width of 68 feet. Show the existing right-of-way of Atrisco Drive adjacent to this property. Additional right-of-way will be required if the existing right-of-way is less than 68 feet.
5. Show the existing right-of-way of Foothill Drive adjacent to this property. Additional right-of-way will be required if the existing right-of-way is less than 50 feet.
6. The 25 foot wide multi-purpose easement may not serve as an uncontrolled private access easement that will allow general public traffic to cross from one side of the

development to the other. Wording shall be placed on the subdivision plat and disclosure statement stating that crash gates shall be placed adjacent to the public right-of-way for this easement and that this easement shall provide access for open space area maintenance or emergency purposes only. An explanation may be required as to why the Landscape Plan does not appear to allow this easement to be used for emergency purposes.

**November 7, 2007 Comments**

1. Preliminary scoping for the required Traffic Impact Analysis (TIA) has been completed and a draft study is in progress. The TIA must be approved by BCPWD prior to final site plan approval.
2. The proposed Public right-of-way width for roads has been increased from 32 feet to 40 feet and a 4' sidewalk is included in the cross-section. The proposed mountable curb and gutter has been replaced with standard curb and gutter.
3. The proposed Public right-of-way radius of 40 feet for the proposed cul-de-sac and turnouts has been increased to 45 feet.
4. The site plan must show the right-of-way width of Atrisco Drive. Atrisco Drive is shown as a Collector on the Long Range Roadway System map with a minimum right-of-way width of 68 feet. Additional right-of-way will be required if the existing right-of-way is less than 68 feet.
5. Foothill Drive, also adjacent to this property, may also require additional right-of-way if the existing width is less than 50 feet.
6. Right-of-way dedications may reduce size of the open space shown on the site plan.

**For February 8, 2008**

A draft Traffic Impact Analysis (TIA) has been completed but no final has been submitted (1/11/08). A final TIA must be approved by BCPWD prior to site plan approval.

**Water Planning:**

1. Use of buffalo/blue gamma grass in orchard / vineyard area is duly noted and satisfies the intent of the water conservation ordinance towards reducing /eliminating high water use turf areas as does use of the area as a retention pond for storm water run-off (rain water harvesting for park area).1. Please provide an availability letter from

the ABCWUA indicating availability of water and sewer, and the extent of the availability, for the project.

2. Please indicate on the design page the appropriate requirements of the Bernalillo County conservation ordinance as it applies to individual lots and required elements in each home.
3. Please provide an overall water budget showing water required for residential use (both indoor and outdoor) and for the park areas and identify the source of the water. Domestic use budget must meet any state use limitation provided in the availability letter. Identify the source of irrigation water for the vineyard and plazuela. These areas meet the definition of "parks" under the water conservation ordinance and must not require greater than 35 inches of water per year to maintain.

34. Provide ABCWUA availability letter.

#### Proposed Conditions of Approval

1. All development shall meet the requirements of the Bernalillo County Water Conservation Ordinance
2. At time of subdivision application, applicant shall provide documentation/demonstration that domestic-use water availability limitations as proposed by the ABCWUA are achievable through design restriction, disclosure statements, or covenant restrictions.
3. At time of subdivision application, applicant shall provide a letter from irrigation-source provider indicating that irrigation supply is available for the park areas and/or provide other appropriate proof of available water supply for irrigated areas.

#### Parks & Recreation:

BCPR will not maintain or otherwise manage the proposed agricultural open space/vineyard or other smaller open space easements that are proposed as a part of Las Vi?as. The open space areas are labeled inconsistently and must be relabeled for consistency. Clarify how the open space acreage is calculated. BCPR questions the feasibility of having functional agricultural land on land whose primary function is a retention pond. Was pond size for storm drainage retention calculated also with agricultural irrigation in mind, should an unexpected storm event follow irrigation?

The labeling of the proposed east-west trail is inconsistent. Clarify if this is a proposed multi-use trail or a pedestrian path. As shown, 6' is not wide enough for a multi-use trail. 10' is the minimum width for a trail of this nature that will provide a significant connection between Atrisco Drive and Foothill Dr/Arenal Canal and be an amenity for future residents. The applicant notes the importance of connecting to the MRGCD ditches. The applicant should coordinate with MRGCD regarding connection to their facilities, which is necessary for this east-west facility to function properly.

Will the irrigation ditch and multi-use trail be squeezed in between property boundary on north and residents' back yard fences or walls to the south? Care and consideration should be given to designing these trail and irrigation sections of the site so that a "tunnel" effect does not result, maintenance vehicles can access the entire area, and a general sense of openness is achieved to deter crime and vandalism that might occur in this corridor. Proper usage and value of ditch and trail would be enhanced by an open design relative to lots.

The 4' pedestrian easement along subdivision streets is insufficient. Function is intended to be a sidewalk and is strongly recommended to be 6' wide at a minimum.

Conditions:

1. Design and build to BCPR satisfaction a 10' multi-use trail along northern boundary of site, including how and where trail intersects with irrigation facilities.
2. Coordinate design of 10' multi-use trail with 10' irrigation ditch, particularly where and how irrigation waters will be diverted and piped below trail and plazuela area to reach vineyard area.
3. Relable the 4' pedestrian easement as a sidewalk and secure PW approval on width.

### **March 5, 2008**

Question for the applicant:

1. How does the ditch water enter the alfalfa field for irrigation? Does this pose a design conflict for the proposed trail?

Comment:

It would be clearer on Sheet 1 if the pocket parks were numbered and a note could be added to Sheet 2 about which park would be developed as tot lot. Also, in what manner is the other park to be developed?

BCPR Findings:

1. BCPR will not maintain or otherwise manage the proposed open space, trail easement or pocket parks that are proposed as a part of Los Parques de Arboles.

Sheriff's:

No comment.

### **COMMENTS FROM OTHER AGENCIES**

MRGCD:

MRGCD supports the continued irrigation of the property. Who will maintain the irrigation ditch?

Are covenants proposed for maintenance of the irrigation ditch and bike trail?

MRGCOG:

Atrisco Rd is designated a collector on the Long Range Roadway System Map with an established right-of-way of 68 feet. Atrisco Rd is designated a proposed bicycle route on the Long Range Bikeway System Map. Coordination with County Public Works and trail planners is encouraged to insure project conformity with these adopted policies of the MTB.

AMAFCA:

No comment

City Public Works:

Transp. Planning:

Atrisco Rd is designated a collector on the Long Range Roadway System Map with an established right-of-way of 68 feet. Atrisco Rd is designated a proposed bicycle route on the Long Range Bikeway System Map. Coordination with County Public Works and trail planners is encouraged to insure project conformity with these adopted policies of the MTB.

Transp. Development:

No adverse comment

Water Resources:

No comment

City Planning:

No adverse comments

City Transit:

No adverse comment

ABCWUA Utility Development Section:

No adverse comment

City Environmental Health:

No adverse comment

City Open Space:

No adverse comment

NM Department of Transportation:

Possible Impacted NMDOT roadway(s): NM 45(Coors Road)

Departments Comments: A Traffic Impact Analysis (TIA) will be required for the development as it will have an impact on the Intersection of NM 45 (Coors Road) and Arenal as well as other intersections along the Coors Corridor.

Albuquerque Public School:

**NEIGHBORHOOD ASSOCIATIONS:**

South Valley Coalition of Neighborhoods

South Valley Alliance